

MAINTENANCE OBLIGATION AGREEMENT

THIS MAINTENANCE OBLIGATION AGREEMENT (“Agreement”) is made and entered into on this _____ day of _____, 2005, by **Leon County, Florida, a political subdivision of the State of Florida**, with a mailing address of 301 South Monroe Street, Room 217, Tallahassee, Florida 32301 (hereinafter “Leon County” or “Declarant”).

WHEREAS, Leon County is the predecessor owner of a certain 76.85-acre property subdivided into eight lots and known as the LAUDER AND LAUDER LIMITED PARTITION SUBDIVISION, as re-divided by the Corrected Affidavit of Recording for the Creation of Equal or Larger Parcels recorded at O.R. Book 3020, Page 0863, Official Records of Leon County, Florida, and the County is the current owner of a 12.19 acre stormwater facility that will be included in newly configured Lot 8 (which will then have a total of 13.69 acres)(said properties hereinafter collectively referred to as the “Property”); and

WHEREAS, Bannerman Crossings, by virtue of the Warranty Deed recorded at O. R. Book 3155, Page 1915, is the current owner of Lots 4, and 5 (the “Lots”) of the Property, which Lots are intended to be used as commercial properties; and

WHEREAS, Richard S. Kearney (“Kearney”), by virtue of the County Deed recorded at O. R. Book 3021, Page 1081, is the current owner of Lot 1 of the Property; and

WHEREAS, Leon County, by virtue of its prior ownership of the stormwater facility and the Quit Claim Deed recorded at O. R. Book 3021, Page 1084, is the current owner of Lots 2, 3, and 8 of the Property; and

WHEREAS, Bradfordville First Baptist Church (“Church”), by virtue of the County Deed recorded at O.R. Book 3021, Page 1141, and the Statutory Warranty Deed recorded at O. R. Book 3021, Page 1087, is the current owner of Lots 6 and 7 of the Property; and

WHEREAS, Bannerman Crossing, LLC, Kearney and the Church have formed and established the Bannerman Road Property Owners’ Association, Inc., (hereinafter “Association”) a Florida not for profit corporation, to maintain, repair, reconstruct, insure, operate and administer the Common Easements of the Property in accordance with Leon County requirements for the recording of the plat; and

WHEREAS, although technically Leon County requirements obligate all owners of platted property to be a member of the Association, Leon County doubts the authority of a private association to levy assessments and liens against County-owned property, and desires to satisfy its obligations to certain of the other platted lots through this Agreement; and

WHEREAS, pursuant to Article X, Chapter 2 of the Leon County Code of Laws, the County Administrator has the authority to supervise the care and custody of all County property, institutions and agencies.

DECLARATIONS

NOW, THEREFORE, Declarant, in consideration for being released from participation as a member of the Association, and for other good and valuable consideration, hereby declares that the following portions of the Property shall be maintained exclusively by Leon County, Florida:

1. The entirety of Lot 8 as reconfigured to include a total of 13.69 acres, which is more particularly described on Exhibit A, which is attached hereto and incorporated herein.
2. The drainage easement serving Lot 3, which runs through Lot 1 and through the

western edge of Lots 6 and 7, which is more particularly described on Exhibit B, which is attached hereto and incorporated herein.

Further, that portion of the Property commonly known to the owners of the Property as the “overlap easement area,” more particularly described in Exhibit C, which is attached hereto and incorporated herein, is a portion of Lot 7 owned by Bradfordville First Baptist Church and crosses an area over which the driveway to the Church is to be constructed. Several Property owners have easement rights for ingress, egress, installation of utilities or other uses over the area depicted in Exhibit C. By virtue of recording of the Plat of Bannerman Corner subdivision, Leon County will acquire an easement for ingress, egress and utilities over the area legally described in Exhibit C. Leon County hereby agrees to use and maintain the easement area in good condition, and to reconstruct and restore the easement area in the event that the County has to perform utility installations or repairs in, under or upon the easement area. Inasmuch as the easement area is utilized in common with members of the Association, however, Leon County does not agree to exclusive responsibility for maintenance of the area.

THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK.

The agreement shall be a covenant running with the land, and shall be binding on the County and its successors, assigns, grantees of Lots 2, 3 and 8, and shall inure to the benefit of the owners of Lots 1, 4, 5, 6 and 7 of the Property, and their successors, assigns, and grantees.

DATED on this, the _____ day of _____, 2005.

LEON COUNTY, FLORIDA

BY: _____
CLIFF THAELL, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

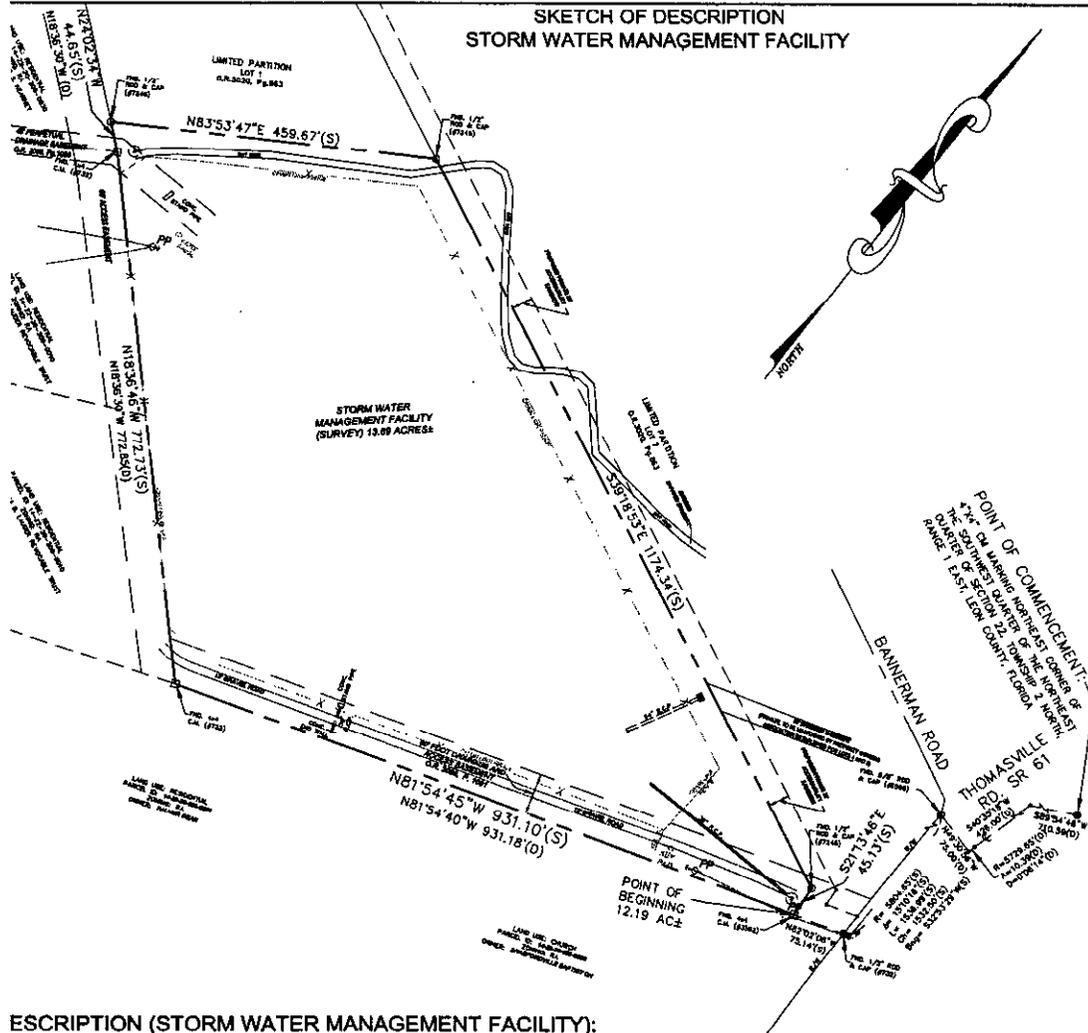
ATTEST:

BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

BY: _____
CLERK

APPROVED AS TO FORM:
LEON COUNTY ATTORNEY'S OFFICE

BY: _____
HERBERT W.A. THIELE, ESQ.



DESCRIPTION (STORM WATER MANAGEMENT FACILITY):

parcel of land as described in Official Records Book 2098, Page 1081 and lying in Section 22, Township 1 North, Range 1 East, Leon County Florida, Surveyed and more particularly described as follows:

Commence at a 4x4 C.M. marking the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 22, Township 2 North, Range 1 East, Leon County, Florida. Hence run South 89 degrees 54 minutes 48 seconds West 710.59 feet to a point on the centerline of Thomasville Road (U.S.318); Thence run South 40 degrees 35 minutes 18 seconds West 426.00 feet to a curve concave Southeastery having a radius of 5729.65 feet; Thence Southwesterly along said curve and centerline through a central angle of 00 degrees 06 minutes 14 seconds for an arc distance of 10.39 feet; Thence leaving said centerline run North 49 degrees 30 minutes 58 seconds West 75.00 feet to a found 5/8\"/>

LEGEND	
FOUND 4\"/>	FOUND IRON PIN
FOUND IRON IN CAP	FOUND IRON IN CAP
PROFESSIONAL LAND SURVEY CERTIFICATE	PROFESSIONAL LAND SURVEY CERTIFICATE
SET 4\"/>	SET 4\"/>
SET 1\"/>	SET 1\"/>
SET 1\"/>	SET 1\"/>
DEED INFORMATION	DEED INFORMATION
CALCULATED INFORMATION	CALCULATED INFORMATION
SURVEY INFORMATION	SURVEY INFORMATION
POINT OF COMMENCEMENT	POINT OF COMMENCEMENT
POINT OF BEGINNING	POINT OF BEGINNING
TELEPHONE POLE	TELEPHONE POLE
SIGNAL POLE	SIGNAL POLE
GRAY ANCHOR	GRAY ANCHOR
GAS METER	GAS METER
GAS VALVE	GAS VALVE
WATER VALVE	WATER VALVE
SANITARY SEWER FLOW ARROW	SANITARY SEWER FLOW ARROW
ELECTRIC BOX	ELECTRIC BOX
TELEPHONE PEDESTAL	TELEPHONE PEDESTAL
COMBINATION POLE	COMBINATION POLE
POWER POLE	POWER POLE
LIGHT POLE	LIGHT POLE
FIRE HYDRANT	FIRE HYDRANT
CURB INLET	CURB INLET
YARD DRAIN	YARD DRAIN
BASEMENT VENT	BASEMENT VENT
WHITE INLET	WHITE INLET
STORM MANHOLE	STORM MANHOLE
HOSE BNC	HOSE BNC
WATER METER	WATER METER
BENCHMARK	BENCHMARK
MONITORING WELL	MONITORING WELL
8\"/>	8\"/>

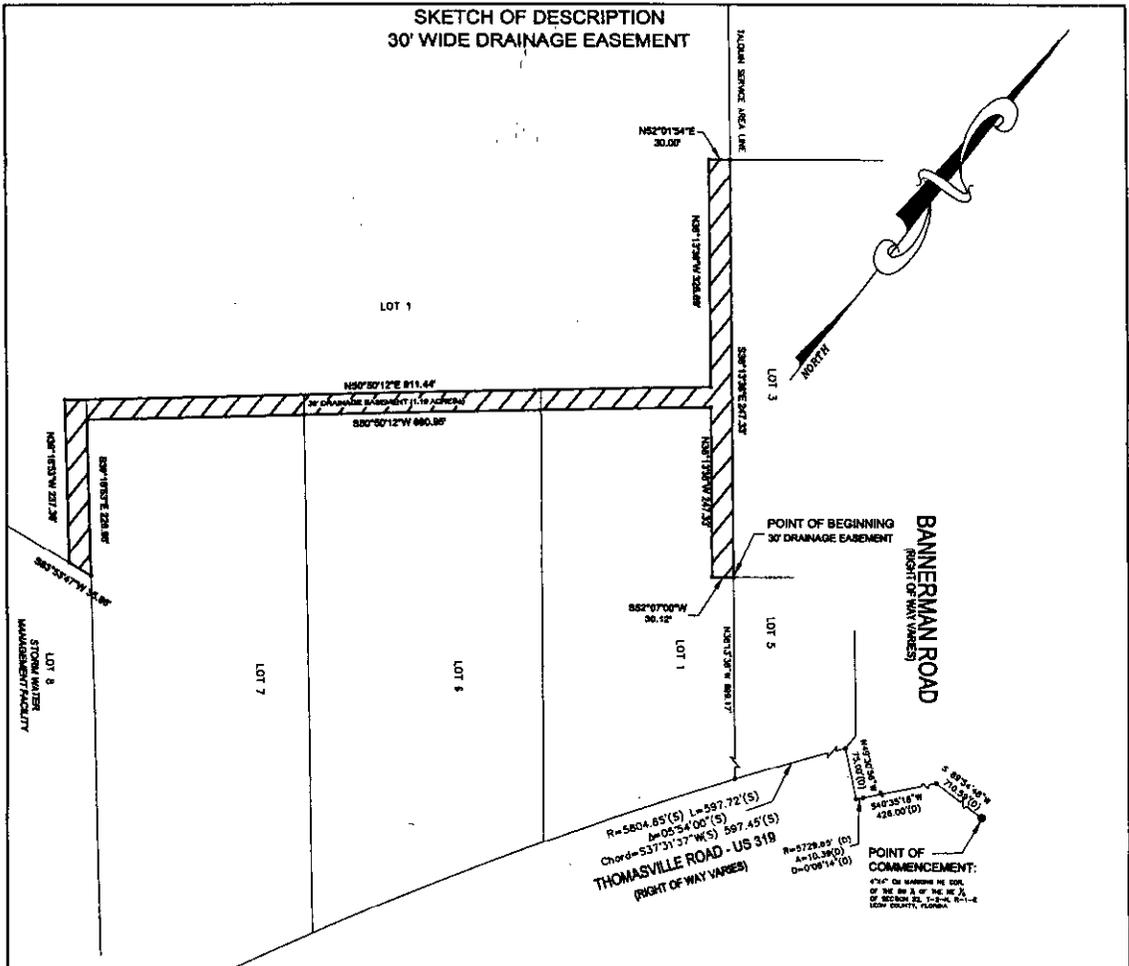
Moore Bass Consulting
Drawings, Specifications and other
instruments prepared by Moore Bass
Consulting, Inc. (MB) for this Project
are the property of MB and shall remain
the property of MB. No part of these
instruments shall be reproduced or
transmitted in any form or by any
means, electronic, mechanical, or
otherwise, without the prior written
consent of Moore Bass Consulting, Inc.
The undersigned surveyor has not been
provided a current title opinion or
abstract of matters affecting title or
boundary to the subject property. It is
possible there are encumbrances, liens,
easements or other instruments which
could affect the boundaries.

I hereby certify that the sketch of description shown hereon meets the Minimum Technical Standards for Land Surveying in the State of Florida (F.A.C. §1G17-6).
The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are encumbrances, liens, easements or other instruments which could affect the boundaries.

[Signature]
Larry J. Davis
Registered Florida Surveyor No. 5254

GRAPHIC SCALE	
0 100 200 400 1 inch = 200 feet	
FILE #	03-120 10772 SK-SWAF.dwg
CONTRACT #	1077.002 ARCHIVE
DATE	June 30, 2004 DRAWN BY BKL
SHEET TITLE	SKETCH OF DESCRIPTION

MOORE BASS CONSULTING, INC. 606 N. QUADROBY STREET TALLAHASSEE, FL 32303 (904) 223-2675 FIDELITY OF AUTHORITY REGISTRATION NO. 000207240 Phone: (904) 223-2675 FAX: (904) 223-2676	CLIENT NAME LEON COUNTY - BRADFORDVILLE COMMERCIAL	PROJECT NAME STORM WATER MANAGEMENT FACILITY BANNERMAN CORNER	SHEET TITLE SKETCH OF DESCRIPTION	1.0
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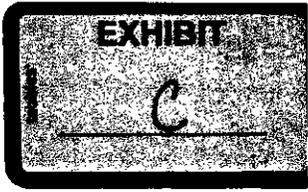


DESCRIPTION (30' WIDE DRAINAGE EASEMENT):

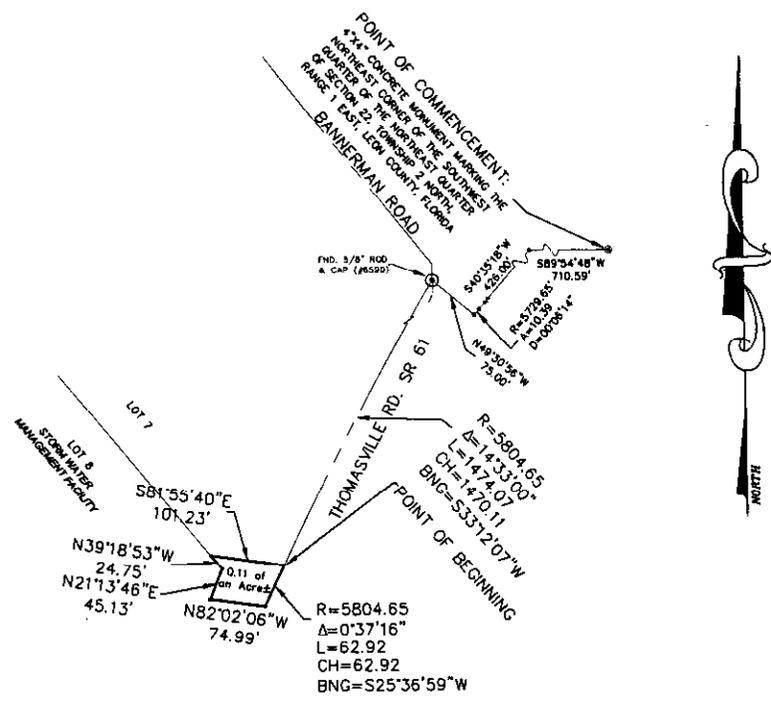
A 30' drainage easement lying in Section 22, Township 2 North, Range 1 East, Leon County Florida, more particularly described as follows:

Commence at a 4x4 C.M. marking the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 22, Township 2 North, Range 1 East, Leon County, Florida. Thence run South 89 degrees 54 minutes 48 seconds West 710.59 feet to a point on the centerline of Thomasville Road (U.S.319); Thence run South 40 degrees 35 minutes 18 seconds West 426.00 feet to a curve concave Southeastly having a radius of 5729.85 feet; Thence Southwestly along said curve and centerline through a central angle of 00 degrees 06 minutes 14 seconds for an arc distance of 10.39 feet; Thence leaving said centerline run North 49 degrees 30 minutes 56 seconds West 75.00 feet to a point of intersection of the Northwestly right of way boundary of Thomasville Road (U.S.319) with the Southwestly right of way boundary of Bannerman Road; said point lying on a curve concave Southeastly and having a radius of 5804.65 feet; Thence Southwestly along said curve and Northwestly right of way boundary through a central angle of 05 degrees 54 minutes 00 seconds for an arc distance of 597.72 feet; (chord of said curve being South 37 degrees 31 minutes 37 seconds West 597.45 feet); Thence leaving said Northwestly right of way boundary run North 38 degrees 13 minutes 38 seconds West 899.17 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run South 52 degrees 07 minutes 00 seconds West 30.12 feet; Thence North 38 degrees 13 minutes 38 seconds West 247.93 feet; Thence South 50 degrees 50 minutes 12 seconds West 880.95 feet; Thence South 39 degrees 18 minutes 53 seconds East 226.96 feet; Thence South 83 degrees 53 minutes 47 seconds West 35.86 feet; Thence North 39 degrees 18 minutes 53 seconds West 237.39 feet; Thence North 50 degrees 50 minutes 12 seconds East 911.44 feet; Thence North 38 degrees 13 minutes 38 seconds West 326.89 feet; Thence North 52 degrees 07 minutes 54 seconds East 30.00 feet; Thence South 38 degrees 13 minutes 38 seconds East 247.33 feet to the POINT OF BEGINNING, containing 1.19 acres, more or less.

<p>F.C.M. FOUND 4\"/> </p>	<p>F.I.P. FOUND IRON PIN F.M.C. FOUND MAIL IN CAP P.C.C. PROFESSIONAL LAND SURVEY CERTIFICATE E.C.M. SET 4\"/> </p>	<p>LEGEND</p> <p>TELEPHONE POLE ELECTRIC BOX TELEPHONE PERESTAL COMBINATION POLE POWER POLE LIGHT POLE FIRE HYDRANT SANITARY BLOWER FLOW ARROW SANITARY BLOWER MANHOLE</p>	<p>CURB INLET YARD DRAIN BASEMENT VENT GRATE INLET STORM MANHOLE HOSE BID WATER METER MONITORING WELL BENCHMARK 3\"/> </p>
<p>Moore Bass Consulting The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MBC) for this Project are instruments of MB for use solely with respect to this Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.</p>	<p>I hereby certify that the sketch of description shown herein meets the Minimum Technical Standards for Land Surveying in the State of Florida (F.A.C. §1617-6). The undersigned surveyor has not been provided a current title opinion or abstraction of matters affecting the boundary to the subject property. It is possible there are deeds or deeds under deed, easements or other instruments which could affect the boundaries.</p> <p><i>[Signature]</i> Larry D. Davis Registered Florida Surveyor No.5254</p>	<p>UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL PAPER SEAL OF A PROFESSIONAL SURVEYOR AND AFTER THE ORIGINAL SURVEYOR HAS MADE A PERSONAL VISUAL INSPECTION OF THE PROPERTY FOR IDENTIFICATION PURPOSES ONLY AND IS NOT WILL.</p> <p>SEAL</p>	<p>GRAPHIC SCALE</p> <p>0 100 200 400 1 inch = 200 ft.</p> <p>FILE # 03-120 10772 SK-DES.dwg CONTRACT # 1077.002 ARCHIVE DATE DEC. 16, 2003 DRAWN BY BKL SHEET TITLE SKETCH OF DESCRIPTION 1.0</p>



SKETCH OF DESCRIPTION
60' DRAINAGE EASEMENT



DESCRIPTION 60' DRAINAGE EASEMENT:

A 60' Drainage easement lying in Section 22, Township 1 North, Range 1 East, Leon County Florida, more particularly described as follows:

Commence at a 4x4 C.M. marking the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 22, Township 2 North, Range 1 East, Leon County, Florida. Thence run South 89 degrees 54 minutes 48 seconds West 710.59 feet to a point on the centerline of Thomasville Road (U.S.319); Thence run South 40 degrees 35 minutes 18 seconds West 426.00 feet to a curve concave Southeastery having a radius of 5729.65 feet; Thence Southwesterly along said curve and centerline through a central angle of 00 degrees 08 minutes 14 seconds for an arc distance of 10.39 feet; Thence leaving said centerline run North 49 degrees 30 minutes 56 seconds West 75.00 feet to a found 5/8" rod & cap (#6590) being a point of Intersection of the Northwesterly right of way boundary of Thomasville Road (U.S.319) with the Southwesterly right of way boundary of Bannerman Road; said point lying on a curve concave Southeastery and having a radius of 5804.65 feet; Thence Southwesterly along said curve and Northwesterly right of way boundary through a central angle of 14 degrees 33 minutes 00 seconds for an arc distance of 1474.07 feet; (chord of said curve being South 33 degrees 12 minutes 07 seconds West 1470.11 feet) to the POINT OF BEGINNING. From said POINT OF BEGINNING continue along said right of way curve having a radius of 5804.65 feet, through a central angle of 00 degrees 37 minutes 18 seconds for an arc distance of 62.92 feet, (chord of said curve being South 25 degrees 38 minutes 59 seconds West 82.92 feet); Thence leaving said right of way boundary run North 82 degrees 02 minutes 08 seconds West 74.99 feet; Thence North 21 degrees 13 minutes 46 seconds East 45.13 feet; Thence North 39 degrees 18 minutes 53 seconds West 24.75 feet; Thence South 81 degrees 55 minutes 40 seconds East 101.23 feet to the POINT OF BEGINNING, containing 0.11 of an acre, more or less.

<p>LEGEND</p> <p>FOUND 4"x4" CONCRETE MONUMENT R.O.W. - RIGHT-OF-WAY C.A. - CENTERLINE R - RADIUS D - DELTA OR CENTRAL ANGLE A - ARC LENGTH T - TANGENT DISTANCE CH - CHORD BEARING AND DISTANCE P.B./P.C. - PLAT BOOK AND PAGE O.R./P.O. - OFFICIAL RECORDS BOOK AND PAGE D.B. - DEED BOOK B.C. - BACK OF CURB</p>		<p>FOUND IRON PIN F.N.C. - FOUND NAIL IN CAP P.L.P. - PROFESSIONAL LAND SURVEY CERTIFICATE S.C.M. - SET 4"x4" CONCRETE MONUMENT LISTINGS S.P. - SET 1" IRON PIN LISTINGS S.N.C. - SET NAIL AND 1" CAP LISTINGS P.I. - PLAT INFORMATION D.I. - DEED INFORMATION C.I. - CALCULATED INFORMATION S.I. - SURVEY INFORMATION P.O.C. - POINT OF COMMENCEMENT P.O.B. - POINT OF BEGINNING</p>		<p>ELECTRIC BOX TELEPHONE PEDESTAL COMBINATION POLE POWER POLE LIGHT POLE FIRE HYDRANT</p>		<p>CURB INLET YARD DRAIN BASEMENT VENT GRATE INLET STORM MANHOLE HOSE END WATER METER SANITARY SEWER MANHOLE</p>		<p>STORM FLOW ARROW BENCHMARK MONITORING WELL TREE (8" DIA.)</p>	
<p>Moore Bass Consulting The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MB) for this Project are Instruments of MB for use solely with respect to this Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.</p>		<p>I hereby certify that the SKETCH OF DESCRIPTION shown hereon meets the Minimum Technical Standards for Land Surveying in the State of Florida (F.A.C. 61G17-9). The undersigned surveyor has not been provided a current life opinion or abstraction of matters affecting life or boundary to the subject property. It is possible there are deeds of record, unrecorded deeds, easements or other instruments which could affect the boundaries.</p> <p>Larry D. Davis Registered Florida Surveyor No. 5254</p>		<p>UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL INKED SEAL OF A FLORIDA LICENSED SURVEYOR, AND MEETS THE LEGAL REQUIREMENTS FOR RECORDATION, THIS INSTRUMENT IS VOID FOR RECORDATION PURPOSES ONLY AND IS NOT VALID.</p> <p>SEAL</p>		<p>GRAPHIC SCALE</p> <p>0 100 200 400 1 inch = 200 ft.</p>		<p>FILE # 03-120 55426 FINAL RP.dwg CONTRACT # 554.026 ARCHIVE DATE AUG. 24, 2004 DRAWN BY [Signature] BKL SHEET TITLE SKETCH OF DESCRIPTION 1.0</p>	
<p>MOORE BASS CONSULTING, INC. 655 N. GARDEN STREET TALLAHASSEE, FL 32303 (904) 222-6874 CERTIFICATE OF AUTHORIZATION No.0007245</p>		<p>CLIENT NAME LEON COUNTY PROJECT NAME BANNERMAN CORNER 60' DRAINAGE EASEMENT</p>		<p>DATE AUG. 24, 2004 DRAWN BY [Signature] BKL SHEET TITLE SKETCH OF DESCRIPTION 1.0</p>		<p>31</p>			